

### Subpart A—Introduction

#### § 400.1 Basis and purpose of the program.

(a) This part prescribes requirements concerning grants to States and other public and private non-profit agencies, wherever applicable under title IV of the Immigration and Nationality Act.

(b) It is the purpose of this program to provide for the effective resettlement of refugees and to assist them to achieve economic self-sufficiency as quickly as possible.

(c) Under the authority in section 412(a)(6)(B) of the Immigration and Nationality Act, the Director has established the provision of employment services and English language training as a priority in accomplishing the purpose of this program.

[51 FR 3912, Jan. 30, 1986, as amended at 60 FR 33601, June 28, 1995]

#### § 400.2 Definitions.

The following definitions are applicable for purposes of this part:

*AABD* means aid to the aged, blind, and disabled under title XVI of the Social Security Act.

*AB* means aid to the blind under title X of the Social Security Act.

*Act* means the Immigration and Nationality Act.

*AFDC* means aid to families with dependent children under title IV-A of the Social Security Act.

*APTD* means aid to the permanently and totally disabled under title XIV of the Social Security Act.

*Case management services* means the determination of which service(s) to refer to a refugee to, referral to such service(s), and tracking of the refugee's participation in such service(s).

*Cash assistance* means financial assistance to refugees, including AFDC, SSI, refugee cash assistance, and general assistance, as defined herein, under title IV of the Act.

*Director* means the Director, Office of Refugee Resettlement.

*Federal Funding* or 'FF' means Federal funding for a State's expenditures under the refugee resettlement program.

*General assistance program* means a financial and/or medical assistance program existing in a State or local juris-

diction which: (a) Is funded entirely by State and/or local funds; (b) is generally available to needy persons residing in the State or locality who meet specified income and resource requirements; and (c) consists of one-time emergency, or ongoing assistance intended to meet basic needs of recipients, such as food, clothing, shelter, medical care, or other essentials of living.

*HHS* means the Department of Health and Human Services.

*Medical assistance* means medical services to refugees, including Medicaid, refugee medical assistance, and general assistance, as defined herein, under title IV of the Act.

*OAA* means old age assistance under title I of the Social Security Act.

*ORR* means the Office of Refugee Resettlement.

*Plan* means a written description of the State's refugee resettlement program and a commitment by the State to administer or supervise the administration of the program in accordance with Federal requirements in this part.

*Refugee* means an individual who meets the definitions of a refugee under section 101(a)(42) of the Act.

*Refugee cash assistance (RCA)* means cash assistance provided under section 412(e) of the Act to refugees who are ineligible for AFDC, OAA, AB, APTD, AABD, or SSI.

*Refugee medical assistance (RMA)* means: (a) Medical assistance provided under section 412(e) of the Act to refugees who are ineligible for the Medicaid program; and (b) services provided in accordance with §§ 400.106 and 400.107 of this part.

*Secretary* means the Secretary of HHS.

*Sponsor* means an individual, church, civic organization, State or local government, or other group or organization which has agreed to help in the reception and initial placement of refugees in the United States and other public and private non-profit agencies, wherever.

*SSI* means supplemental security income under title XVI of the Social Security Act.

*State* means the 50 States, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, the Commonwealth

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of the Northern Mariana Islands, American Samoa, and the Trust Territories of the Pacific.

*State agency* means the agency (or agencies) designated by the Governor or the appropriate legislative authority of the State to develop and administer, or supervise the administration of, the plan and includes any local agencies administering the plan under supervision of the State agency.

*State Coordinator* means the individual designated by the Governor or the appropriate legislative authority of the State to be responsible for, and who is authorized to, ensure coordination of public and private resources in refugee resettlement.

*Support services* means services provided or contracted for by a State, which are designed to meet resettlement needs of refugees, for which funding is available under title IV of the Act.

*Time-eligibility* means the period for which FF (Federal funding) is provided under §§ 400.203 and 400.204 of this part, after applying the limitation "[s]ubject to the availability of funds" in accordance with § 400.202.

*Title IV of the Act* means title IV, Chapter 2, of the Immigration and Nationality Act.

*Voluntary resettlement agency or voluntary agency or resettlement agency* means one of the national resettlement agencies (or its local affiliate or subcontractor) or a State or local government that has entered into a grant, contract, or cooperative agreement with the United States Department of State or other appropriate Federal agency to provide for the reception and initial placement of refugees in the United States.

[51 FR 3912, Jan. 30, 1986, as amended at 54 FR 5475, Feb. 3, 1989; 58 FR 46090, Sept. 1, 1993; 58 FR 64507, Dec. 8, 1993]

### § 400.3 [Reserved]

## Subpart B—Grants to States for Refugee Resettlement

### THE STATE PLAN

### § 400.4 Purpose of the plan.

(a) In order for a State to receive refugee resettlement assistance from

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funds appropriated under section 414 of the Act, it must submit to ORR a plan that meets the requirements of title IV of the Act and of this part and that is approved under § 400.8 of this part.

(b) A State must certify no later than 30 days after the beginning of each Federal fiscal year that the approved State plan is current and continues in effect. If a State wishes to change its plan, a State must submit a proposed amendment to the plan. The proposed amendment will be reviewed and approved or disapproved in accordance with § 400.8.

[51 FR 3912, Jan. 30, 1986, as amended at 60 FR 33602, June 28, 1995]

### § 400.5 Content of the plan.

The plan must:

(a) Provide for the designation of, and describe the organization and functions of, a State agency (or agencies) responsible for developing the plan and administering, or supervising the administration of, the plan;

(b) Describe how the State will coordinate cash and medical assistance with support services to ensure their successful use to encourage effective refugee resettlement and to promote employment and economic self-sufficiency as quickly as possible.

(c) Describe how the State will ensure that language training and employment services are made available to refugees receiving cash assistance, and to other refugees, including State efforts to actively encourage refugee registration for employment services;

(d) Identify an individual designated by the Governor or the appropriate legislative authority of the State, with the title of State Coordinator, who is employed by the State and will have the responsibility and authority to ensure coordination of public and private resources in refugee resettlement in the State;

(e) Provide for, and describe the procedures established for, the care and supervision of, and legal responsibility (including legal custody and/or guardianship under State law, as appropriate) for, unaccompanied refugee children in the State;

(f) Provide for and describe (1) the procedures established to identify refugees who, at the time of resettlement